

# OneFAB

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Guardianship Assistance Program

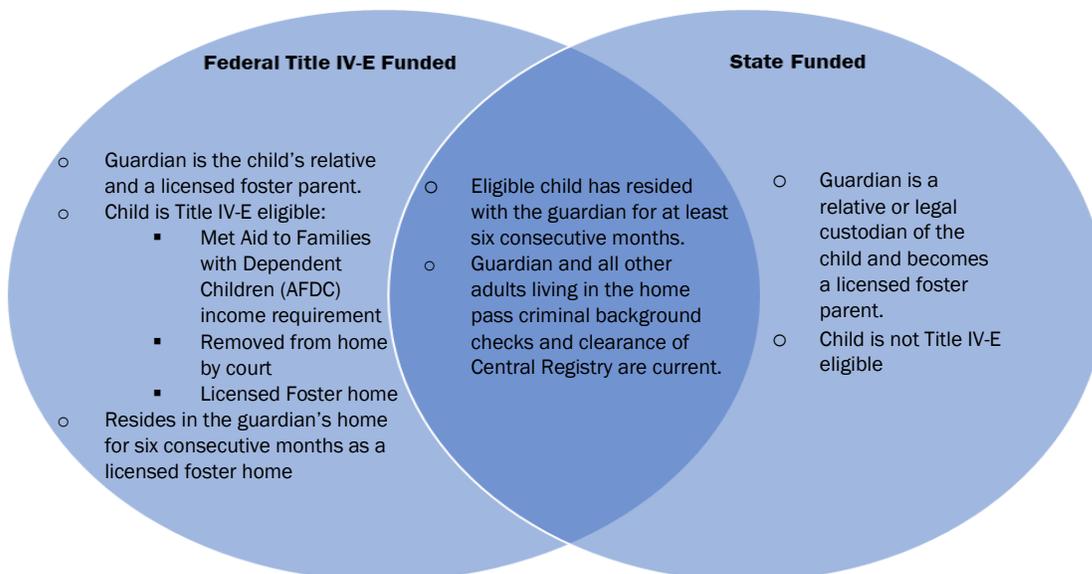
Humphrey Akujobi, Fiscal Analyst

The Guardianship Assistance Program (GAP) provides financial support to ensure permanency for children who otherwise would remain in foster care until adulthood.<sup>1</sup> The Adoption and Safe Families Act of 1997 determined that guardianship provides permanency where reunification or adoption is not possible.<sup>2</sup> A court can appoint a legal guardian for a juvenile after a child's caseworker has documented in a service plan that reunification or adoption is not within the child's best interest, and parental rights have been terminated. The Department of Health and Human Services (DHHS) assesses the eligibility of guardians of juveniles for assistance payments when requested by the foster care caseworker on behalf of the guardian and child. A child is eligible for guardianship assistance if:

- A court determines it is adverse to the child's welfare to stay in the home and removes them.
- The child resides in the guardian's home for at least six consecutive months before application for assistance.
- Reunification and adoption have been ruled out as permanency options.
- If the child is 14 years of age or older, has been consulted, and agrees to the guardianship arrangement.
- The child is strongly attached to the guardian and the guardian has a commitment to care for the child until adulthood.

The guardian also must meet requirements for assistance; the requirements vary based on the funding source, as detailed in [Figure 1](#) below.

Figure 1



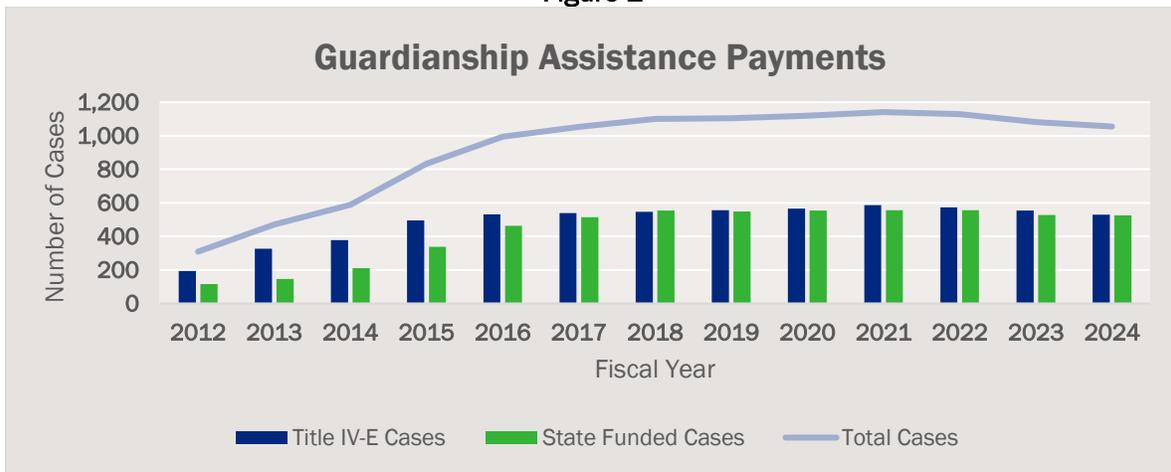
<sup>1</sup> "Child Guardianship Policy Manual 700", Michigan Department of Health and Human Services, 2022.

<sup>2</sup> "Child Guardianship Policy Manual 600", Michigan Department of Health and Human Services, 2022.

The number of guardianship assistance payment cases grew from fiscal year (FY) 2011-12 to 2020-21, from an average of 310 cases to 1,141 cases, followed by slight declines in the following years. There was a significant jump from FY 2013-14 to FY 2014-15, with the numbers rising from 589 to 833. The balance of State-funded versus Federally-funded cases has shifted in the past decade. From FY 2011-12 to FY 2014-15, Federal Title IV-E cases significantly outnumbered State-funded GAP cases; however, the balance shifted with cases in each funding stream now roughly even as shown in [Figure 2](#).

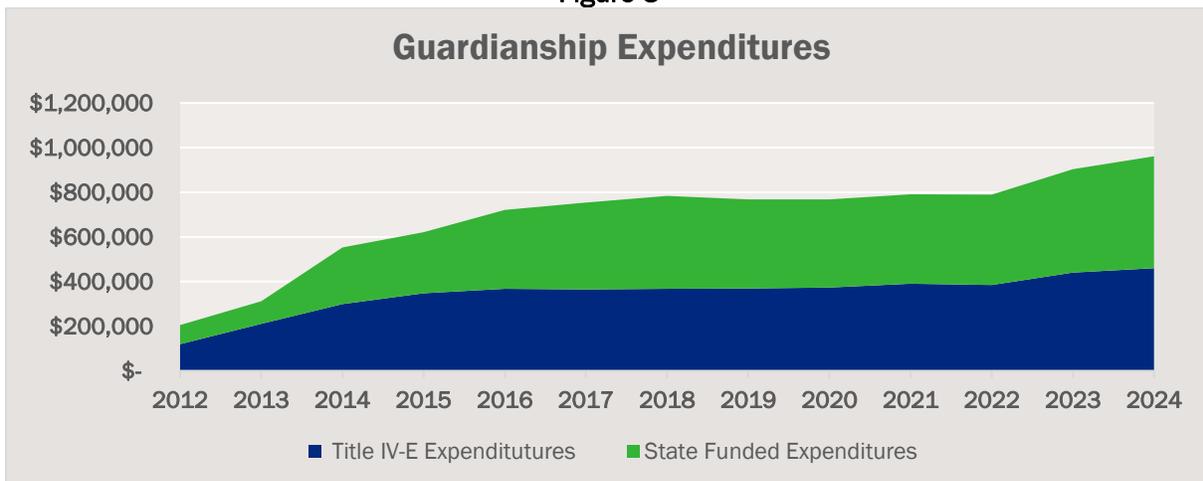
Guardianship assistance payments are paid according to the State's foster care rate schedule, with payments mirroring what the child would be paid in foster care. The gross monthly GAP expenditures have grown from \$204,639 (\$119,493 Title IV-E, \$85,146 State) in FY 2011-12 to \$961,087 (\$459,588 Title IV-E, \$501,499 State) in FY 2023-24 as shown in [Figure 3](#). From FY 2011-12 to FY 2015-16 Federal Title IV-E expenditures outpaced State-funded expenditures; however, since FY 2016-17, that paradigm has flipped.

Figure 2



Source: DHHS.

Figure 3



Source: DHHS.